



MINUTES OF A REGULAR MEETING

OKLAHOMA FUNERAL BOARD
3700 N. Classen, Suite 175
Oklahoma City, Oklahoma 73118

March 10, 2022

BOARD MEMBERS

Tom Coble
J. Cooper
Joe Highberger
Brent Matherly
Jim Roberts
Mike Sanders
Chad Vice

STAFF

Shayne Melton
Ashton Poarch, AAG
Rochelle Robinson
Tyler Stiles

MEETING PLACE: MEETING PLACE: Videoconference at <https://oklahomafuneralboard.my.webex.com/meet/Funeralboard>
If calling in by telephone please call 1-408-418-9388; Access Code 1260612143.
If attending in person at the physical location: Office of Chief Medical Examiner OKC, 921 N.E. 23rd Street Conference Room 1st Floor Oklahoma City, OK 73105.

A copy of this notice of meeting and agenda has been posted in a prominent location at the office of the Oklahoma Funeral Board, 3700 North Classen Blvd Suite 175, Oklahoma City, Oklahoma, on December 7, 2021 at 9:30AM. A copy of this agenda is available on the Funeral Board website at www.ok.gov/funeral

Continuing Education credit was not provided for this meeting if attended via videoconference or telephone.

President Highberger called the meeting to order at 10:00AM. Board Members Cooper, Highberger, Matherly, Roberts, Sanders, and Vice were

present. Member Coble was not present for roll call. A quorum was always present.

Reading of the Oklahoma Funeral Board mission statement:

The mission of the Oklahoma Funeral Board is to act in the public interest and for the protection of the public within the powers vested in the Board by the State of Oklahoma for the regulation and education of the funeral service profession.

Motion by Roberts second by Sanders to approve the February 10, 2022 Regular Board meeting minutes. The motion passed unanimously with Member Vice abstaining.

Motion by Highberger second by Sanders to approve the February 23, 2022 Special Board meeting minutes. The motion passed unanimously with Member Cooper and Vice abstaining.

Dustin Pierce provided the following update for OKFDA. Dustin Pierce with OKFDA updated the board that the Spring district meetings have concluded and thanked Mr. Stiles for bringing PPE to the meetings for licensees. Convention will be the first week of April. Located at Embassy Suites Hotel & Conference Center-Norman, OK, April 3-5, 2022 will have 11 hours of CE presented.

OID provided the update that they are continuing talks regarding moving away from Trust funds and encouraging insurance backed pre-needs instead as they are safer for the consumer.

Motion by Vice second by Highberger to find probable cause on complaint 22-26 regarding Body Intake Logs. The motion passed unanimously.

Motion by Highberger second by Sanders to dismiss complaint 22-28 regarding Next of Kin issues. The motion passed unanimously.

Motion by Vice second by Highberger to dismiss complaint 22-29 regarding Body removal/Death Certificates Issues. The motion passed unanimously.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 21-53 Dowdy-Marker Funeral Home, Haskell; Marker Funeral Home, Inc., Owner, Bixby; Michael Marker, FDIC, Bixby. Respondents appeared in person. The prosecution was represented by Ashton Poarch, AAG. Thomas Grossnicklaus, AAG, was the Board's legal advisor. Members

Highberger, Matherly, Roberts, Sanders, and Vice heard the case. Member Cooper was recused from the case and he left the room.

After the presentation of the agreed upon Consent Order, motion by Highberger second by Vice to accept the Consent Order. The consent order consisted of the following: The agreed violations were: failure to maintain an up-to-date body intake log, not having the FDIC reflected on the Body Intake Log, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Jointly pay Administrative Penalty of \$250, Costs of \$250. The motion passed unanimously.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 22-12 Caskets of Honor By Collard Designs, Calvin; Collard Designs, Ada; Todd Collard, Candice Mentink-Collard. Respondents appeared via Webex. The prosecution was represented by Ashton Poarch, AAG. Thomas Grossnicklaus, AAG, was the Board's legal advisor. Members Highberger, Matherly, Roberts, Sanders, and Vice heard the case. Member Cooper was recused from the case and he was already out of the room.

After the presentation of the agreed upon Consent Order, motion by Roberts second by Vice to accept the Consent Order. The consent order consisted of the following: The agreed violations were: false or misleading advertising, material misrepresentation, violation of the Funeral Service Licensing Act. The terms consisted of the following: Administrative Penalty of \$4,000. Respondents agree to change their advertising to properly reflect that they sell to funeral homes and the public may purchase the casket through licensed funeral homes, and Costs of \$700. The motion passed unanimously.

Member Cooper reentered the room.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 22-22 Wilson Funeral Home, Pond Creek, Mary Ann Wilson, Owner, Pond Creek; Steven L. Wilson, FDIC, Pond Creek. Respondents appeared telephonically. The prosecution was represented by Ashton Poarch, AAG. Thomas Grossnicklaus, AAG, was the Board's legal advisor. Members Cooper, Roberts, Sanders, and Vice heard the case. Member Matherly was recused from the case and he left the room. Member Highberger recused himself and he also left the room.

After the presentation of the agreed upon Consent Order, motion by Roberts second by Cooper to accept the Consent Order. The consent order consisted of the following: The agreed violations were: failure to maintain an up-to-date body intake log, not having the FDIC reflected on the Body Intake Log, violation of the Funeral Service Licensing Act, and Rules of the Board. The

terms consisted of the following: Jointly pay Administrative Penalty of \$500, Costs of \$250. The motion passed unanimously.

Member Matherly reentered the room.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 22-24 House of Winn Funeral Home, Okmulgee; House of Winn Funeral Home, Inc., Owner, Muskogee; Edward Winn I, FDIC, Muskogee. Respondents appeared via Webex. The prosecution was represented by Ashton Poarch, AAG. Thomas Grossnicklaus, AAG, was the Board's legal advisor. Members Cooper, Matherly, Roberts, Sanders, and Vice heard the case. Member Highberger was recused from the case and he was already out of the room.

After the presentation of the agreed upon Consent Order, motion by Cooper second by Vice to accept the Consent Order. The consent order consisted of the following: The agreed violations were: failure to maintain an up-to-date body intake log, not having the FDIC reflected on the Body Intake Log, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Jointly pay Administrative Penalty of \$250, Costs of \$250. The motion passed unanimously.

Member Highberger reentered the room.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (Original) Kaylie Evans, Sapulpa, Green Hill FH, Sapulpa. The motion passed unanimously.

Motion by Roberts second by Highberger to table the following: Apprenticeship (1st Extension) Andrew Haire, Vinita, Highsmith FH, Vinita; Andrea Landrum, Denison, Cunningham FH, Colbert. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (1st Extension) Joseph Campbell, Talihina, McCarn FS, Talihina; Conner Brown, Wellston, Brown's Family FH, McLoud. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (3rd extension) Jennifer Pointer, Durant, Holmes-Coffey-Murray, Durant. The motion passed unanimously.

Motion by Roberts second by Highberger to table the following: Apprenticeship (4th extension) Brandon Watters, Nowata, Benjamin FS, Nowata. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (3rd extension) Jackie Burch, Antlers Serenity FS, Antlers; Daniel Collier, Claremore, Rice FS, Claremore. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (FD Only) (Original) Clint Barker, Tulsa, Rice FS, Claremore; Erin Riley, Shawnee, Walker FS, Shawnee; Michael Parks, OKC, Heritage FH, OKC. The motion passed unanimously.

Motion by Roberts second by Highberger to table the following: Funeral Director and/or Embalmer (Reciprocal), Marie Thompson, Virginia; Ronnie Dunn, Texas; Tristan McAuliff, Arkansas; Megan Dorman, Kansas; Joseph Campbell, Arkansas. The motion passed unanimously.

Motion by Roberts second by Highberger to deny the following: Funeral Director and/or Embalmer (Reciprocal), Tristan McAuliff, Arkansas. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Funeral Director and/or Embalmer (Reciprocal), Christopher Mayberry, Tennessee. The motion passed unanimously.

Motion by Roberts second by Highberger to table the following: Funeral Director and/or Embalmer (Original), Tammy Marshall, Cordell (FD Only); Alysha Minniear, Tulsa (FD Only); Breana Thomas, Atlanta. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Funeral Director and/or Embalmer (Original) Brittany Stallings, OKC; Che'Lynn Jackson, Tulsa. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Establishments, Neptune Society, Edmond, request to change FDIC from Angela Bynum to Jeremy Sparks; Bunch-Singleton FH, Broken Bow, request to change FDIC from Joshua Capuano to David White; CremationCare+, Tulsa, request to change FDIC from Rex Whitetree to Danilo Gatón; Rice Funeral Service & Cremation Care +, Catoosa, request to change FDIC from Rex Whitetree to Danilo Gatón. The motion passed unanimously.

Motion by Roberts second by Highberger to table the following:
Establishments, Dillon Funeral Service LLC, new establishment, Tulsa, Dillon Funeral Services LLC, Owner, Preston McCurtain, FDIC. The motion passed unanimously.

No New Business was discussed

Executive Director's Report- Agency Financial update- Mr. Stiles reported gross receipts for February 2022 to be \$15,725.00 with \$617.50 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$38,174.05 and net income after expenses totaled -\$23,066.55.

2022 Legislative Update: HB 1229- by Rep. Smith, allows for anyone to sell caskets without a license if they do not provide any other funeral service, made out of committee. Mr. Stiles has been working with various legislators regarding this bill to express the Board's concerns with the language and for the public protection of Oklahomans; HB 3359-by Speaker McCall, Funeral Board education requirement bill, made out of committee 8-0; HB 3361- by Speaker McCall, Funeral Board Quorum bill, made out of committee; HB 3366- by Rep. Roberts, requires Driver's License numbers to be reported into ROVER for death certificates, made out of committee.

Mr. Highberger wants to thank those that participated in the education committee for the Funeral Board in regards to HB 3359. Those are Joe Highberger, Board Member; Brent Matherly, Board Member; Tyler Stiles, Executive Director Funeral Board; Shawn Bates, Locus Grove Owner; Bart Watkins, Vici Owner; Marcus Crawford OKC Owner; John Williams MAYSVILLE Owner; Chris Ferguson CHICKASHA Employee; John Fritch, UCO; Erin Wilson, Dallas Rep; Brian Mullins, Dallas Rep; OKFDA REP Philip Hart President Elect.

Motion by Highberger second by Sanders to adjourn the meeting at 10:53AM. The motion passed unanimously.

Joe Highberger
Oklahoma Funeral Board President